



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 7180



Introduced by Representative **Geraldine B. Roman**

EXPLANATORY NOTE

Section 18 of Article II of the Constitution states that the state recognizes labor as the primary social and economic force. It is responsible for protecting workers' rights and promoting their well-being. Furthermore, Section 20, Article II of the Constitution provides that the State enterprise provides incentives for needed investments.

Overseas Filipino Workers (OFWs) choose to work hard abroad and live thousands of miles away from their families in exchange for financial support to send their children or family members to the school to provide a better life for them. Furthermore, they provide a comfortable home for their families.

Nonetheless, the government must not allow our OFWs, who are regarded as modern-day heroes, to continue working abroad and being separated from their families. We must provide them with opportunities to return home and earn a living so they can be with their loved ones and watch their children grow.

Equal opportunity can be classified into four types: formal quality of opportunity, substantive equality of opportunity, equality of fair opportunity, level playing field, and meritocracy. As a result, with this measure, people-centered legislation is proposed.

Overseas Filipino Workers are the main objective of this measure. This proposed measure seeks to provide OFWs with benefits and incentives when they decide to invest in businesses in the Philippines, such as access to financial literacy training and seminars, as well as capital to start their businesses.

The passage of this measure is urgently requested.


REP. GERALDINE B. ROMAN
District Representative
Bataan, 1st District



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AN ACT
PROVIDING FOR ENHANCED BENEFITS, WELFARE, AND REINTEGRATION
OF REPATRIATED FILIPINO MIGRANT WORKERS INTO THE PHILIPPINE
WORKFORCE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled.

SECTION. 1. Title. – This Act shall be known as the “Filipino Migrant Workers Welfare Act of 2023.”

SEC. 2. Declaration of Policy. – It is the policy of the State to promote, at all times, the welfare of its citizens whether in the country or overseas. Further, the State recognizes the significant contribution of Overseas Filipino Workers (OFWs) to the national economy through their foreign exchange remittances and their valuable role as a partner in our nation's progress. At the same time, the State recognizes the role of business enterprises in employment generation resulting in economic growth and a strong development foundation for the country.

SEC. 3. Declaration of the Principle of Equal Opportunity. – The State recognizes that all individuals have the right to equal opportunity to live decently and with dignity. Every individual has the right to participate and be given access to information relating to the decision-making processes that affect their lives and well-being.

The State further declares that migrant workers are individuals deserving of secured rights of a decent life, dignity, and humane employment. They should be allowed to live a life of normalcy, living in co-existence with other workers who are living a peaceful and productive life, secured, and protected by law.

SEC. 4. – Business-Oriented Capacity-Building Training for OFWs. – The Department of Labor and Employment (DOLE), in coordination with the Department of Trade and Industry (DTI), shall provide training for OFWs who are seeking to set up their businesses,

The training shall focus on the following areas:

- a) Business conceptualization and the conduct of feasibility studies;
- b) Registration and all other administrative matters related to creating one's own business;
- c) Safe and sustainable business financing;
- d) Business promotion/ advertising/ marketing; and
- e) Service/ product delivery

SEC. 5. – *Dedicated Financing/ Loan Programs for OFW-Owned MSMEs.* – The DOLE, in coordination with the Department of Finance (DOF) and the Department of Budget and Management (DBM), shall create new financing/loan programs that will exclusively cater to OFWs, who are in the process of setting up their MSMEs.

Such programs shall strictly be for those OFWs with no existing MSMEs. OFWs with existing MSMEs shall be accommodated through DTI's programs.

SEC. 6. – *Government Job Fairs for Civil Service Qualified OFWs.* – The DOLE, in coordination with the Civil Service Commission (CSC) and the Department of Interior and Local Government (DILG), shall have a series of job fairs for possible employment of civil service qualified OGFWs in the national or local government, its agencies, bureaus, offices, and instrumentalities, including government-owned and controlled corporations (GOCCs).

SEC. 7. – *Program for Qualified and Highly-Skilled OFWs to Teach in the Academe.* – The DOLE, in coordination with Commission on Higher Education (CHED), shall provide a program to invite qualified and highly-skilled OFWs to teach in colleges/universities accredited by CHED.

SEC. 8. – *Tax Exemption.* – AN OFW-owned business enterprise shall be exempt from the payment of income tax for a non-extendable period of five (5) years following registration. This exemption is without prejudice to any other benefit or tax exemption granted to the enterprise by any other laws. All Local Government Units (LGUs) are encouraged either to reduce the amount of local taxes, fees, and charges.

SEC. 9. – *Other Benefits and Incentives.* – An OFW-business enterprise may also avail of the following incentives for a non-extendable period of five (5) years following registration:

- a) Fifty Percent (50%) reduction on real property taxes imposed on real property if used in the OFW-owned business enterprise;
- b) Tax and duty-free importation of raw materials, capital equipment, machinery, and spare parts exclusively used in the operation of the OFW-owned business enterprise; and/or
- c) Preferential access to financing from government financial institutions at rates below the market rates;

Provided, That an OFW-owned business enterprise may avail of these incentives for a period of five years following registration.

SEC. 10. – *Implementing Rules and Regulations.* – The Secretary of Labor and Employment and the Secretary of Interior and Local Government shall jointly promulgate the necessary rules and regulations required for the effective implementation of the provisions of this Act.

In drafting the IRR, the Secretaries shall consult with public stakeholders:

- 1) The Civil Service Commission (CSC);
- 2) The Department of Interior and Local Government (DILG);
- 3) The Department of Trade and Industry (DTI);
- 4) The Department of Finance (DOF);
- 5) The Department of Budget and Management (DBM);
- 6) The Overseas Workers Welfare Administration (OWWA); and
- 7) The Office of the Government Corporate Counsel.

SEC. 11. – *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be charged against those authorized in the current and subsequent General Appropriations Act.

SEC. 12. – *Separability Clause.* – If for any reason, any section, clause, or term of this Act is held to be illegal, invalid, or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

SEC. 13. – *Repealing Clause.* – All laws, presidential decrees, issuances, executive orders, letters of instruction, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 14. *Effectivity Clause.* -This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,